



10-19-04

IFW

JMRK 6360
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Justin A. Mark

Art Unit 3634

Serial No. 10/682,350

Filed October 9, 2003

Confirmation No. 8790

For COLLAPSIBLE PARTITION STRUCTURE AND BACKSTOP SYSTEM

October 18, 2004

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VIRGINIA 22313-1450

SIR:

INFORMATION DISCLOSURE STATEMENT

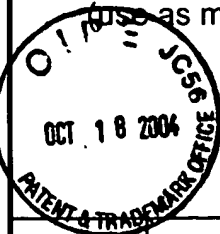
* In accordance with 37 C.F.R. 1.97 and 1.98 and MPEP 609, and in compliance with the duty of disclosure set forth in 37 C.F.R. 1.56, applicant submits the attached PTO/SB/08A for consideration by the Patent and Trademark Office in the above-entitled application and to be made of record therein. In accordance with the OG notice of August 5, 2003, partially waiving the requirements of 37 C.F.R. 1.98(a)(2)(i), copies of the U.S. patent documents are not supplied. Applicants submits herewith copies of the literature references.

Respectfully submitted,

Brian P. Klein, Reg. No. 44,837
SENNIGER POWERS
One Metropolitan Square, 16th Floor
St. Louis, Missouri 63102
(314) 231-5400

BPK/dss

Express Mail Label No. EV 327054836 US
Mail Stop Amendment

PTO/SB/08A				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) 				Application Number	10/682,350
				Filing Date	October 9, 2003
				Confirmation Number	8790
				First Named Inventor	Justin A. Mark
				Group Art Unit	3634
				Examiner Name	Not Yet Assigned
Sheet	1	of	5	Attorney Docket No.	JMRK 6360

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code ² (if known)		
	1	1,043,308		Everson	11/05/1912
	2	1,170,715		Westgate	02/08/1916
	3	1,540,670		Vidmer	06/02/1925
	4	1,652,062		Stauffer	12/06/1927
	5	2,008,359		Lamb	07/16/1935
	6	2,059,365		King	11/03/1936
	7	2,922,653		O'Brien	01/26/1960
	8	2,988,360		Lambiotte	06/13/1961
	9	3,001,795		Johnson	09/26/1961
	10	3,656,750		Neunier	04/18/1972
	11	3,822,063		Rea	07/02/1974
	12	3,858,880		Graves	01/07/1975
	13	3,945,641		Carbonero	03/23/1976
	14	3,948,512		Worthington	04/06/1976
	15	3,980,304		O'Neill et al.	09/14/1976

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached or place an "A" here if English language abstract is attached.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/08A INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/682,350
				Filing Date	October 9, 2003
				Confirmation Number	8790
				First Named Inventor	Justin A. Mark
				Group Art Unit	3634
				Examiner Name	Not Yet Assigned
Sheet	2	of	5	Attorney Docket No.	JMRK 6360

	16	3,986,719		Lee	10/19/1976
	17	4,045,032		Cox	08/30/1977
	18	4,088,317		Gierla	05/09/1978
	19	4,275,883		Grimaldi et al.	06/30/1981
	20	4,336,942		Warehime	06/29/1982
	21	4,491,141		Eppenbach	01/01/1985
	22	4,590,956		Griesenbeck	05/27/1986
	23	4,688,804		Maxwell	08/25/1987
	24	4,702,478		Kruse	10/27/1987
	25	4,815,736		Wright	03/28/1989
	26	4,822,053		Flaherty	04/18/1989
	27	4,883,272		Lay	11/28/1989
	28	4,886,268		Langslet	12/12/1989
	29	4,895,366		Bartasius	01/23/1990
	30	4,913,427		Wilson	04/03/1990
	31	4,948,141		Newman	08/14/1990
	32	5,088,740		Peterson	02/18/1992
	33	5,193,802		Saltus	03/16/1993
	34	5,205,564		Lamberti et al.	04/27/1993
	35	5,222,731		Hanabusa et al.	06/29/1993

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached or place an "A" here if English language abstract is attached..

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/08A INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/682,350
				Filing Date	October 9, 2003
				Confirmation Number	8790
				First Named Inventor	Justin A. Mark
				Group Art Unit	3634
				Examiner Name	Not Yet Assigned
Sheet	3	of	5	Attorney Docket No.	JMRK 6360

	36	5,240,246		Gohil et al.	08/31/1993
	37	5,244,213		Armell	09/14/1993
	38	5,269,527		Noval	12/14/1993
	39	5,310,176		Berg	05/10/1994
	40	5,326,109		Robl	07/05/1994
	41	5,351,948		Thomas	10/04/1994
	42	5,368,293		Waugh	11/29/1994
	43	D359,538		Hague	06/20/1995
	44	5,427,381		Macaluso et al.	06/27/1995
	45	5,433,433		Armell	07/18/1995
	46	5,505,443		Padilla	04/09/1996
	47	5,520,397		Thompson	05/28/1996
	48	5,524,901		Bison et al.	06/11/1996
	49	5,540,428		Joseph	07/30/1996
	50	5,569,094		Macaluso	10/29/1996
	51	5,577,721		Hardee et al.	11/26/1996
	52	5,580,048		Mullen et al.	12/03/1996
	53	5,584,480		Grimsrud	12/17/1996
	54	5,681,230		Krings	10/28/1997
	55	5,730,442		Anderson	03/24/1998

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached or place an "A" here if English language abstract is attached..

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/08A INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/682,350
				Filing Date	October 9, 2003
				Confirmation Number	8790
				First Named Inventor	Justin A. Mark
				Group Art Unit	3634
				Examiner Name	Not Yet Assigned
Sheet	4	of	5	Attorney Docket No.	JMRK 6360

*	56	5,733,209		McIntyre, IV	03/31/1998
	57	5,906,553		Carroccio	05/25/1999
	58	6,083,124		Williams	07/04/2000
	59	6,168,540		McKenna	01/02/2001

OTHER ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	60	A 2 Z SPORTS, Jugs Instant Screen, On-Line Sporting Goods Catalog, http://www.a2zsports.com ; June 27, 2000, 1 page, United States.	
	61	BASEBALL BATTING CAGES, The Zone Pitchers' Training System, http://www.baseballbattingcages.com , August 24, 2001, 1 page United States.	
	62	BASEBALL BATTING CAGES, Portable Backstops, http://www.baseballbattingcages.com , August 24, 2001, 1 page, United States.	
	63	BASEBALL BATTING CAGES, Fielder Screen, http://www.baseballbattingcages.com , August 24, 2001, 1 page, United States.	
	64	THE JUGS COMPANY, Jugs Instant Backstop™, http://thejugscompany.com , June 27, 2000; 1 page, United States.	
	65	THE JUGS COMPANY, Jugs Instant Backstop™, http://thejugscompany.com , September 11, 2001; 1 page, United States.	
	66	THE JUGS COMPANY, Instant Screen®, http://thejugscompany.com , September 11, 2001; 1 page, United States.	
	67	THE JUGS COMPANY, Use and Instructions of the Instant Screen at least as early as September 11, 2001; 1 page, United States.	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached or place an "A" here if English language abstract is attached..

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/08A INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/682,350
				Filing Date	October 9, 2003
				Confirmation Number	8790
				First Named Inventor	Justin A. Mark
				Group Art Unit	3634
				Examiner Name	Not Yet Assigned
Sheet	5	of	5	Attorney Docket No.	JMRK 6360

	68	THE JUGS COMPANY, Multi-Sport Instant Cage, http://thejugscompany.com , September 11, 2001, 1 page, United States.	
	69	THE JUGS COMPANY, Introducing the New Jugs QUICK-SNAP Protective Screens, http://thejugscompany.com , September 11, 2001, 3 pages, United States.	
	70	THE JUGS COMPANY, Soccer Instant Gooool®, http://thejugscompany.com , September 11, 2001, 1 page, United States.	
	71	JKP SPORTS, Focus on the Ball, product catalog, 2002, ____ pages, Tualatin, Oregon, United States.	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached or place an "A" here if English language abstract is attached..

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.